

REMARKS

Claims 1, 3-10 and 17-79 were pending at the time of examination. Claims 1, 32, 51-52 and 63-64 have been amended. No new matter has been added. The Applicants respectfully request reconsideration based on the foregoing amendments and these remarks.

Claim Rejections – 35 U.S.C. § 112

Claim 1 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. In particular the Examiner did not understand what is meant by “...receiving an application level...” The Applicants have corrected claim 1 to recite “...receiving an application level...” and submit that the rejection be withdrawn.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 4, 6-8, 10, 17-29, 31-74 and 76-79 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. US 2004/0078373 to Ghoneimy et al. (hereinafter Ghoneimy). The Applicants respectfully traverse the rejection for the following reasons.

Claim 1 has been amended to more clearly specify that the method occurs across a message interchange network that is built on an open platform overlaying a public network, and that the different services may be managed by different organizational entities, in order to more precisely define the subject matter of the invention. Broadly stated, the message routing method of claim 1 routes an application-level message from a sending service to a recipient service through one or more in-transit services. The in-transit services may perform a range of operations on the message as it travels from the sending service to the recipient service. The operations performed by the in-transit services alter the content of the message, such that the message has the proper features that are required for the message to be accepted by the recipient service, thereby enabling the recipient service to do further processing on the message, if needed.

In contrast, Ghoneimy is directed to a workflow system and method that automates work processes (Abstract). This system and method “ensures that business processes follows predetermined rules” and that “each task in the process is regulated such that the appropriate people have access to the appropriate data and are instructed to perform the task at the appropriate time” (Abstract). That is, whereas the workflow system and method of Ghoneimy may improve automation, it requires that there are predetermined rules that are set up and that

are diligently followed by all the participants in the system. The Applicants' invention on the other hand, as specified in claim 1, allows the various services that participate in the routing (i.e., the sending service, and/or the recipient service, and/or any in-transit service) to determine or alter a route path for an application-level message. That is, the Applicants' method does not rely on predetermined rules, as in Ghoneimy.

Furthermore, Ghoneimy specifies in numerous places that the workflow system is intended to be deployed within a single enterprise. For example, paragraph [0028] refers to that "the workflow system provides a uniform and scalable support infrastructure within the enterprise through a web-based interface" and "Some key features of the workflow system include: Enterprise-wide, scalable infrastructure for handling processes of all types..." and so on. Paragraph [0033] states that, "The main component of the workflow system is the workflow engine." This workflow engine is further discussed in the following paragraph and said to support "...over 100 real-time (tethered) users and up to 1000 'casual' (non-tethered) users via the Web, simultaneously, all from a single system" (paragraph [0034]). Claim 1, on the other hand, explicitly specifies that "at least some of the one or more sending services and the one or more recipient services are managed by different organizational entities." That is, whereas Ghoneimy presents a system and method for a single enterprise, the applicants' invention, as defined in claim 1, supports interactions between multiple organizational entities. This is one of the reasons for the applicants' system and method being so advantageous for small and medium sized enterprises, in particular, which may not be able to afford the big infrastructure of a company that employs the Ghoneimy system and methods.

The Examiner states, in rejecting claim 1, that an in-transit service "would be to provide email service [0035]." The Applicants respectfully disagree. It is clearly specified in claim 1 that an in-transit service, among other things, can (i) define a routing script and (ii) perform an identifiable operation on a message as it travels from the sending service to the recipient service, and (iii) that this identifiable operation alters the content of the message. Email services, to the applicants' knowledge, do not define routing scripts, or alter the contents of a message while the message is in transit from the sender to the recipient, at least not if the email service is to be widely accepted by users.

The Examiner also states, in rejecting claim 1, that "the adapters technology acts as a converter to integrate different vendor of information systems together." Whereas this appears to be generally true, it does however not read on the recited operations of the in-transit service in claim 1. Adapters may change the format of a message such that it can be processed by different types of devices, but adapters do not change the content of a message, as recited in claim 1.

For at least these reasons, it is respectfully submitted that claim 1 is neither anticipated nor rendered obvious by Ghoneimy, and that the rejection of claim 1 under 35 U.S.C. § 102(e) be withdrawn.

Claim 32 is directed to a message routing system and was rejected for the same reasons as the rejection of claim 1 and is therefore allowable for at least the reasons discussed above with respect to claim 1.

Claim 51 is a *Beauregard* claim corresponding to claim 1, and is therefore neither anticipated nor obvious for at least the reasons discussed above with respect to claim 1, and the rejection of claim 51 should be withdrawn.

Claim 52 is directed to a message routing network method, and was rejected at least in part for the same reasons as claim 1. Thus, the Applicants respectfully request that the rejection of claim 52 be removed for the same reasons as the rejection of claim 1, discussed above.

Claim 63 is directed to a computer program product and was rejected for the same reasons as the rejection of claim 1, and is therefore allowable for at least the reasons discussed above with respect to claim 1.

Claim 64 is directed to a message routing system and includes similar limitations to what has been discussed above with respect to the other independent claims. Thus, the Applicants respectfully submit that the rejection of claim 64 be withdrawn.

The Examiner's rejections of the dependent claims are also respectfully traversed. However, to expedite prosecution, all of these claims will not be argued separately. Claims 4, 6-8, 10, 17-29 and 31 each depend directly from independent claim 1 and, therefore, are respectfully submitted to be patentable over cited art for at least the reasons set forth above with respect to claim 1. Claims 33-50 each depend directly from independent claim 32 and, therefore, are respectfully submitted to be patentable over cited art for at least the reasons set forth above with respect to claim 32. Claims 53-62 each depend directly from independent claim 52 and, therefore, are respectfully submitted to be patentable over cited art for at least the reasons set forth above with respect to claim 52. Claims 65-74 and 76-79 all depend from claim 64, and are therefore neither anticipated nor obvious for at least the reasons discussed above with respect to claim 64, and the rejections of claims 65-74 and 76-79 should be withdrawn.

Claim Rejections – 35 U.S.C. § 103

Claims 3, 5, 9 and 75 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ghoneimy. Claim 30 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ghoneimy

in view of U.S. Patent Publication No. US 2002/0013854 to Eggelston et al. (hereinafter Eggelston). The Applicants respectfully traverse the rejection for the following reasons.

With respect to claims 3 and 5, the Examiner states that, "although Ghoneimy doesn't specifically disclose the type of language used to implement the messaging system, such limitations are merely a matter of design choice and would have been obvious in system of Ghoneimy." (Office Action, page 9). Whereas this reasoning may be proper, it is inconsequential, since it does not cure any of the deficiencies discussed above with respect to claim 1, from which claims 3 and 5 depend.

A similar argument applies to claims 9 and 75. That is, whereas it, at the time the invention was made, might have been obvious to use the simple object access protocol, this does not cure the deficiencies discussed above with respect to claim 1 and 64, from which claims 9 and 75, respectively, depend.

Eggelston is cited for claim 30 as teaching logging of billing information. Claim 30 depends from claim 1, which was found above to be neither anticipated nor rendered obvious by Ghoneimy. Assuming it were possible to add the billing logging function of Eggelston to Ghoneimy, it would still not render claim 30 any more obvious than claim 1 alone, as it does not cure any of the other deficiencies of Ghoneimy.

For at least these reasons, it is respectfully submitted that the rejections of dependent claims 3, 5, 9, 30 and 75 under 35 U.S.C. § 103(a) be withdrawn.

Conclusion

The Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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